

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
SE/Corner Wilkens and Walker Avenues
333' NW of the c/l Walker Ave. * DEPUTY ZONING COMMISSIONER
(5401 Wilkens Avenue)
1st Election District * OF BALTIMORE COUNTY
1st Councilmanic District * Case No. 97-124-SPH

State of Maryland, University of
Maryland Baltimore County - Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 5401 Wilkens Avenue, located in the vicinity of Paradise Avenue in Arbutus. The Petition was filed by the owners of the property, State of Maryland, University of Maryland Baltimore County (UMBC), by Leland R. Beitel, Vice President, and the Contract Lessee, AT&T Wireless Services, Inc., by John Andrews, Agent, through their attorney, S. Leonard Rottman, Esquire. The Petitioners seek approval of an amendment to the previously approved site plans in prior Cases Nos. 95-392-XA and 96-307-SPHA to permit the addition of more antennae to an existing wireless transmitting and receiving tower at the above-referenced location. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were representatives of UMBC and AT&T Wireless Services, Inc. The Petitioners were represented by Leonard Rottman and J. Joseph Curren, III, attorneys at law. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the property which is the subject of this request is located within the UMBC complex and consists of 7.99 acres, zoned D.R. 3.5. As noted above, this parcel was

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

the subject of prior Cases Nos. 95-392-XA and 96-307-SPHA in which a special exception, special hearing and variances were granted to other cellular telephone carriers for wireless transmitting and receiving facilities on the subject property. The Petitioners now come before me seeking an amendment of the previously approved site plans to permit AT&T to locate antennae on the existing tower in the location shown on Petitioner's Exhibit 1. A structural study of the tower was performed and it was determined that the tower had the capacity to support the additional antennae as proposed. However, a special hearing is necessary to amend the previously approved site plans to reflect the proposed improvements.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

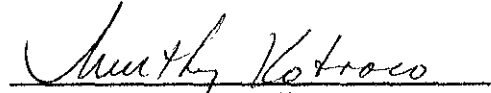
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of November, 1996 that the Petition for Special Hearing seeking approval of an amendment to the previously approved site plans in prior Cases Nos. 95-392-XA and 96-307-SPHA to permit the addition of more antennae to an existing wireless transmitting and receiving tower at the above-referenced location, in accordance with Petition-

ORDER RECEIVED FOR FILING
Date 11/7/96
By [Signature]

er's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 7, 1996

S. Leonard Rottman, Esquire
Adelberg, Rudow, Dorf, Hendler & Semeth
600 Mercantile Bank & Trust Building
Two Hopkins Plaza
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL HEARING
SE/Corner Wilkens and Walker Avenues 333' NW of the c/l Walker Avenue
(5401 Wilkens Avenue)
1st Election District - 1st Councilmanic District
State of Maryland, Univ. of Maryland Baltimore County - Petitioners
Case No. 97-124-SPH

Dear Mr. Rottman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Leland R. Beitel, Vice President, UMBC
5401 Wilkens Avenue, Baltimore, Md. 21228

Mr. John Andrews, AT&T Wireless Services, Inc.
8403 Colesville Road, Silver Spring, Md. 20910

People's Counsel

File

MICROFILMED



Petition for Special Hearing

97-124-SPH
to the Zoning Commissioner of Baltimore County

for the property located at 5401 Wilkens Avenue
which is presently zoned DR 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

an amendment to the Site Plan approved in

Case Numbers 95-392-XA and 96-307-SPHA.

for the purpose of adding additional antennas to existing tower.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

AT&T Wireless Services, Inc.

by John Andrews, Agent
(Type or Print Name)

Signature

8403 Colesville Road

Address

Silver Spring Md 20910
City State Zipcode

Attorney for Petitioner:

S. Leonard Rottman, Esquire

Adelberg, Rudow, Dorf, Hender & Samerh
(Type or Print Name)

Signature

600 Mercantile Bank & Trust Bldg.

Two Hopkins Plaza 539-5195

Address

Baltimore Md 21201
City State Zipcode

Legal Owner(s):

State of Maryland

University of Maryland Baltimore County
(Type or Print Name)

Signature

Leland P. Bertel, Vice-President
(Type or Print Name)

Signature

5401 Wilkens Avenue 455-2286
Address Phone No.

Baltimore Md 21228
City State Zipcode

Name, Address and phone number of representative to be contacted.

S. Leonard Rottman, Esquire
Adelberg, Rudow, Dorf, Hender & Samerh
600 Mercantile Bank & Trust Bldg.
Two Hopkins Plaza
Baltimore, Md 21201 (410) 539-5195
Name Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: jam DATE 9-18-96



MICROFILMED



124

Description

**To Accompany Petition for
Special Hearing**

97-124-SPH

7.99 Acre Special Exception Parcel

**University of Maryland, Baltimore County
5401 Wilkens Avenue**

Thirteenth Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

410 296 3333

Fax 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at the end of the second of two following courses

and distances measured from the point formed by the intersection of the centerline of Walker Avenue with the centerline of Campus Loop Road (1) North 52 degrees 54 minutes 54 seconds West along the centerline of Walker Avenue 245 feet, more or less, and thence (2) North 37 degrees 00 minutes 38 seconds East 333 feet, more or less, to the point of beginning, said point of beginning having coordinate values South 13645 feet, more or less, and West 27806 feet, more or less, said values being referred to the coordinate system established in the Baltimore County Metropolitan District, thence leaving said beginning point and running the five following courses and distances, viz.: (1) North 53 degrees 04 minutes 22 seconds West 379.08 feet, thence (2) North 36 degrees 55 minutes 38 seconds East 590.00 feet, thence (3) South 53 degrees 04 minutes 22 seconds East 590.00 feet, thence (4) South 36 degrees 55 minutes 38 seconds West 590.00 feet, and thence (5) North 53 degrees 04 minutes 22 seconds West 210.92 feet to the point of beginning; containing 7.99 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

August 27, 1996

Project No. 96035.33

MICROFILMED

124



CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/3, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/3, 1996.

THE JEFFERSONIAN,

A. Henricson
LEGAL AD. - TOWSON

MICROFILMED

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #57-124-SFH

(Item 124)

5401 Wilkens Avenue
Campus, University of Maryland, Baltimore County
1st Election District

1st Councilman

Legal Owner(s):
State of Maryland, University of Maryland Baltimore County
Lessor: ATEJ Wireless Services, Inc.

Special Hearing: to approve an amendment to the site plan approved in case numbers 95-392-X and 96-307-SFH for the purpose of adding additional antennas to existing towers.

Hearing: Friday, October 25, 1996 at 2:00 p.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations please call 887-3353.

(2) For information concerning the file and/or hearing, please call 887-3351.

10/04/97 Oct. 3 C87737

CERTIFICATE OF POSTING

RE: Case No.: 97-124-SPH

Petitioner/Developer: _____

Date of Hearing/Closing: _____

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at UMBC CORNER OF
Hill Top & WALKER AVE.

The sign(s) were posted on OCT 10, 96
(Month, Day, Year)

Sincerely,

Brad Kleege 10-10-96
(Signature of Sign Poster and Date)

BRAD KLEEGER

(Printed Name)

4340 EAST WEST HWY.

(Address)

BELLESDALE, MD 20814

(City, State, Zip Code)

301-652-1496

(Telephone Number)

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

124 No. 024875

DATE 9-18-86 ACCOUNT 2001-6150

AMOUNT \$ 285.00

5401 WILCOX AVE.

MICROFILMED

RECEIVED

FROM: AT&T 250.00

MD. HREG. (040) 235.00

FOR: POSNUS (080) 235.00

03A91H0271MICHRC

028505.00

BA 0003-110000-10-86

VALIDATION OR SIGNATURE OF CASHIER

SCW

WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-124-SPH

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirement for advertising is satisfied. However, the petitioner is responsible for the costs associated with this requirement.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) The cost of the sign will be accessed and paid to this office at the time of filing.
- 2) If this petition is filed by a professional, you will be required to post the sign and this office will telephone you when the sign is ready to be picked up.
- 3) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

TO BE TELEPHONED WHEN SIGN IS READY:

LEONARD ROTTMAN ESQ. 539-5195 539-5195
Name Company Phone Number
ADELBERG, Ruow, Dorf, PA.

For newspaper advertising:

Item No.: 124

Petitioner: AT&T WIRELESS

PLEASE FORWARD ADVERTISING BILL TO:

NAME: LEONARD ROTTMAN ESQ.

ADDRESS: 600 MERCANTILE BANK & TRUST Bldg.

Two Hopkins PLAZA BALD. Md. 21201

PHONE NUMBER: 539-5195

MICROFILMED



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DIRECTOR

A handwritten signature in black ink, appearing to read "J. J. [unclear]", written over the word "DIRECTOR".

BUILDINGS ENGINEER

A handwritten signature in black ink, appearing to read "John R. [unclear]", written over the words "BUILDINGS ENGINEER".

TO: PUTUXENT PUBLISHING COMPANY
October 3, 1996 Issue - Jeffersonian

Please forward billing to:

Leonard Rottman, Esq.
600 Mercantile Bank & Trust Bldg.
Two Hopkins Plaza
Baltimore, MD 21201
539-5195

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-124-SPH (Item 124)
5401 Wilkens Avenue
Campus, University of Maryland, Baltimore County
1st Election District - 1st Councilmanic
Legal Owner(s): State of Maryland, University of Maryland Baltimore County
Lessee: AT&T Wireless Services, Inc.

Special Hearing to approve an amendment to the site plan approved in case numbers 95-392-X and 96-307-SPHA for the purpose of adding additional antennas to existing towers.

HEARING: FRIDAY, OCTOBER 25, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 27, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-124-SPH (Item 124)
5401 Wilkens Avenue
Campus, University of Maryland, Baltimore County
1st Election District - 1st Councilmanic
Legal Owner(s): State of Maryland, University of Maryland Baltimore County
Lessee: AT&T Wireless Services, Inc.

Special Hearing to approve an amendment to the site plan approved in case numbers 95-392-X and 96-307-SPHA for the purpose of adding additional antennas to existing towers.

HEARING: FRIDAY, OCTOBER 25, 1996 at 2:00 p.m. in Room 106, County Office Building.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Leland R. Beitel/UMBC
John Andrews/AT&T
S. Leonard Rottman, Esq.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1996

S. Leonard Rottman, Esquire
Adelberg, Rudw, Dorf, Hendler & Semeth
600 Mercantile Bank & Trust Building
Two Hopkins Plaza
Baltimore, MD 21201

RE: Item No.: 124
Case No.: 97-124-SPH
Petitioner: UMBC

Dear Mr. Rottman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 18, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED




BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 7, 1996

FROM:  Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 7, 1996
Item Nos. 119, 121, 122, 124, 125,
126, 127, & 129

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/02/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 30, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 119, 120, 121, 122, 124,
125, 126, 127 and 129.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 124 (JCM)

9/27/90

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

NOT RECORDED

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 26, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 110, 111, 112, 118, 119, 120, 122, 124, and 127

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

ENCLOSURE

ITEM110/PZONE/TXTJWL



C.A. Dutch Ruppersberger, III
Baltimore County Executive

Executive Office
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2450
Fax: (410) 887-5781

September, 1996

Dear County Employee:

The 1996 United Way of Central Maryland charity campaign for Baltimore County Government is now in full swing. Please help United Way continue to aid family, friends, and neighbors by generously contributing to this year's gift giving.

One out of three people is touched by a United Way service each year--600,000 individuals whose lives are better because we care enough to give.

Far too many of our fellow citizens find it difficult to provide for the basics of life--food, clothing, shelter, and health care. Over 10,000 children in our County live below the poverty line. Homeless shelters serve nearly 3,000 and turned away over 1,000 more. Nearly twenty percent of our residents are over the age of sixty, with many lacking the necessary support and services to aid them. With limited resources, County Government cannot help all of those in need. Fortunately, we can count on over 300 United Way human care services to help improve the quality of life in our County.

Through United Way, we can help teens learn personal responsibility, teach adults how to read, provide affordable day care for our children, improve health care for families, help people with disabilities lead more independent lives, and care for the elderly.

We are extremely proud of Baltimore County employees' tradition of generously supporting the United Way. We are once again asking you to help the less fortunate by contributing to this year's campaign.

On behalf of the recipients of your contributions, thank you.

C.A. Dutch Ruppersberger
C.A. Dutch Ruppersberger, III
County Executive
Baltimore County
Edward W. Reddy
AFSCME, Local 921
Tom Maden
Fraternal Order of Police, Lodge #4
Ruby C. Williams
Supervisory, Management & Confidential Employees

George G. Perdikkakis
Chairman, 1996 United Way Campaign
Baltimore County Federation of Public Employees
James J. Clark
Baltimore County Fire Fighters Association, Local 1311
Robert Smith
Baltimore County Federation of Public Health Nurses

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Sep 30, 96

DATE: Sep 26, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

119

122

124

125

126

127

129

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED



C.A. Dutch Ruppersberger, III
Baltimore County Executive

Executive Office
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2450
Fax: (410) 887-5781

September, 1996

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Through United Way, we can help teens learn personal responsibility, teach adults how to read, provide affordable day care for our children, improve health care for families, help people with disabilities lead more independent lives, and care for the elderly.

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On behalf of the recipients of your contributions, thank you.

C.A. Dutch Ruppersberger

C.A. Dutch Ruppersberger, III
County Executive

Edward W. Redwitz

AFSCME, Local 921

Tom Maden
Fraternal Order of Police, Lodge #4

Ruby C. Williams
Supervisory, Management & Confidential Employees

George G. Perdikkakis
Chairman, 1996 United Way Campaign

James J. Lee
Baltimore County Federation of Public Employees

Kim Johnson
Baltimore County Fire Fighters Association, Local 1311

Roberta Smith
Baltimore County Federation of Public Health Nurses

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
5401 Wilkens Avenue (Campus of UMBC)		
1st Election District, 1st Councilmanic	*	ZONING COMMISSIONER
Legal Owner(s): State of Maryland,	*	OF BALTIMORE COUNTY
University of Maryland Baltimore County		
Lessee: AT&T Wireless Services, Inc.	*	CASE NO. 97-124-SPH
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to S. Leonard Rottman, Esq., Adelberg, Rudow, Dorf, 2 Hopkins Plaza, Suite 600, Baltimore, MD 21201, attorney for Petitioner.

Peter Max Zimmerman

 PETER MAX ZIMMERMAN

MICROFILMED

B055.1

NEUBAUER CONSULTING ENGINEERS, P A

7825 TUCKERMAN LANE, POTOMAC, MD 20854
(301) 299-7617 FAX (301) 299-6547

28 May, 1996

Mr. Toby Moskona
BTS
4340 East West Highway, Suite 1000
Bethesda, MD 20814

Re: Tower, University of Maryland Catonsville

Dear Mr. Moskona:

The above tower is structurally capable of supporting AT&T's cellular array at elevation 150' in addition to the other antenna on the tower. The capacity of the tower legs to withstand vertical loads is the limiting condition.

In span 1 up to 70' ; the leg load is 48.68 kips, the leg capacity is 64.5 kips. In span 2 the leg load is 49.12 kips with the allowable being 52.5 kips. In span 3 which is from elevation 130' to 170', the leg load is 37.7 kips with the allowable of 40.8 kips. These are the closest of loads and allowable loads. The difference becomes greater as one goes up the tower. The guy wires are generally loaded to about half of their allowable .

It appears that AT&T will be the last company on the tower without some strengthening of the legs.

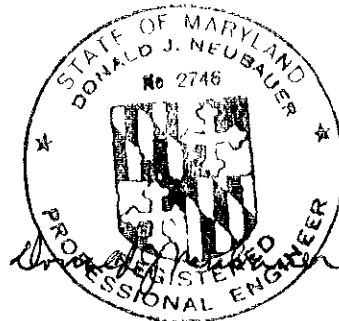
If further information is needed, please let me know.

Very truly yours,

Donald J. Neubauer

Donald J. Neubauer

file. tower/att.uofmd



MICROFILMED



Baltimore County Zoning Commissioner
Office of Planning and Zoning
Suite 112 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Handwritten signature

SUPERIOR MD P&DC

NOV-5-80
20 2 19 54
20812185671232 158-337

RETURNED
TO
SENDER
UNKNOWN

Mr. John Andrews, KT&T Wireless Services,
8403 Colesville Road
Silver Spring, Md. 20910

MICROFILMED

Environmental Impact Statement

AT&T Wireless Services, Inc. UMBC

August 1996

DMW Project No. 96035.33

PETITION NO. 3
EXHIBIT NO. 3

Prepared for:

AT&T Wireless Services, Inc.
8403 Colesville Road
Silver Spring, MD 20910

Prepared by:

Daft•McCune•Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296 4705
dmw@dmw.com



May 1996 9/10/96

DMW

MICROFILMED

I. INTRODUCTION

This Environmental Impact Statement (EIS) has been prepared to meet the requirements of § 502.7.C.10 of the Baltimore County Zoning Regulations, pursuant to a Petition for Special Exception for the development of a wireless transmitting and receiving facility at the Catonsville (UMBC) site on the Catonsville Campus of the University of Maryland Baltimore County. The facility will be operated by the contract lessee, AT&T Wireless Services, Inc. (AT&T), 8403 Colesville Road, Silver Spring, MD 20910.

II. PROJECT SUMMARY

The proposed project will consist of the installation and operation of antennas and equipment for use as a Personal Communications Service (PCS) station. The facility will consist of nine panel antennas 54"± high x 6±" wide x 3±" deep mounted on the existing 369' high guyed radio tower at 150' above the ground. A pair of equipment cabinets housing PCS radio and interconnect equipment (7±' high x 5±' wide x 3.5±' deep) will be installed on a 10' by 12' concrete pad at the base of the tower. The station will be a component of the PCS system being constructed by AT&T to serve the Baltimore-Washington area.

The facility will be constructed on land owned by the State of Maryland, University of Maryland Baltimore County. The property is located northeast of the intersection of Walker Avenue and Campus Loop Road on the college campus. The Wireless Transmitting and Receiving Facility is wholly contained within a previously approved Special Exception area which is itself within the overall boundary of the 439-acre property.

Adjacent lands north of the Special Exception area are zoned O-T and are used for the campus of Spring Grove State Hospital. An area zoned DR-3.5 is located across Wilkens Avenue, and is currently used for residences. The remainder of surrounding lands are zoned DR-3.5 and are used as the college campus and District Court Building.

The facility can be constructed at this location with no land disturbance to the area. The site will be served by electric and telephone utilities only. No sanitary sewer, water, or natural gas facilities are needed for the operation of the facility. The facility is designed for unmanned operation, but will be subject to regular periodic maintenance visits.

III. PROBABLE ENVIRONMENTAL IMPACT

Site Clearing and Grading: The facility will not require earth work or grading of any kind.

Site Drainage and Runoff: The facility will be installed atop a 10' x 12' concrete pad and will create only a negligible amount of runoff increase. There are no materials proposed to be used that could cause any chemical contamination of either runoff or ground water.

Wildlife Habitat: The site was visited by a Natural Resource Specialist on August 22, 1996. No significant plant or wildlife resources were found in the

immediate vicinity of the proposed facility and no significant habitats will be disturbed.

The effects of radio broadcast towers on free ranging wildlife are largely unknown. However, studies on confined individuals indicate that non-ionizing radiation levels must be several orders of magnitude greater than those associated with this facility to have any measurable effect (see Page 3, *Acute short term exposures*). Wildlife studies on the effects of radio frequency radiation similar to that emitted by the proposed AT&T facility are unwarranted due to the extremely low levels of radiation.

Numerous studies have been conducted examining the long term migration patterns and habits of migratory birds. It is generally assumed that these birds use astronomical, magnetic, and landscape cues to compliment inherited genetic abilities to migrate. Significant landscape features such as cities, rivers, and mountain ranges are widely considered to be the features utilized by birds. More localized features such as towns, creeks, and wood lots are learned as more precise locator cues. It is unlikely that waterfowl which may migrate through the Catonsville area could be confused by the addition of this facility.

Noise: The proposed facility will not generate any audible noise on a routine operating basis.

RF Radiation:

Background - Energy associated with electromagnetic radiation depends on its frequency (or wavelength). The higher the frequency, the greater the energy. X-ray and gamma radiation are at the far end of the high-frequency radio spectrum and thus possess relatively large amounts of energy. Electromagnetic waves associated with this energy level are referred to as ionizing radiation which can alter biological molecules by stripping electrons from the atoms. It is important not to confuse the terms "ionizing" and "non-ionizing" when referring to electromagnetic radiation since their mechanisms of biological effects are quite different. The AT&T PCS system operates in a radio frequency (RF) radiation spectrum of 1950 to 1965 Megahertz (MHz). This frequency of RF radiation is within the range of non-ionizing energy. This means that the energy level is not sufficient to alter biological molecules.

Typical radiated power from an AT&T PCS transmitter is about 500 watts (W). With all six proposed transmitters operating simultaneously at full power, the entire facility will have an effective radiated power not exceeding 3,000 watts. By contrast, television and radio broadcasting facilities operate at 50,000 to 200,000 watts. When compared to power levels presented by television and radio broadcasting, one finds the PCS system power levels orders of magnitude less.

Potential Health Effects - There is an extensive body of literature published concerning the biological effects of RF radiation. These effects are dependent upon the electromagnetic frequency, the power (energy level), and the duration of exposure. It has been known for some time that high intensity doses of RF radiation can be harmful by the effect of heating biological tissue. Tissue damage can result primarily because of the body's inability to dissipate the

excessive heat. These "thermal" effects are the same principles that are applied by microwave ovens and diathermy machines used in the therapeutic deep tissue treatment procedures.

a. **Acute (short-term exposures)**

Short-term, high intensity (100-200 mW/cm² [milliwatts per square centimeter]) RF radiation exposures to rabbits have demonstrated eye tissue changes due to thermal effects. Such effects have not been demonstrated at low level (less than 10 mW/cm²) power densities. Alterations in sperm production have also been reported and are related to thermal effects. The eyes and the testicles are particularly inefficient at dissipating heat and thus are more susceptible to temperature related effects. It is important to note that the power densities required to produce thermal effects from short-term exposures are 150,000 to 1,500,000 times greater than the levels which can be expected at the base of the AT&T installation.

b. **Chronic (long-term exposures)**

The evidence of harmful biological effects at energy levels lower than those known to produce significant, measurable tissue heating has been controversial. The literature reports a wide range of potential non-thermal effects. These effects include behavioral modifications, reproductive, immunological and blood-forming effects, irritability, fatigue, and cardiovascular changes.

Human studies have not demonstrated significant differences between RF radiation exposed and unexposed populations. While various hypotheses have been formed to explain non-thermal effects, there is insufficient information to change currently accepted exposure level guidelines.

Standards and Guidelines:

a. **ANSI/IEEE C95.1 - 1992:**

Standards for maximum permissible RF radiation exposure levels were established by the American National Standards Institute (ANSI) in 1992, as ANSI/IEEE C95.1-1992. This standard was subsequently adopted by the Federal Communications Commission on September 19, 1994.

The maximum permissible exposure power densities designated by ANSI/IEEE C95.1-1992 were decreased by a factor of five from a 1982 ANSI standard for "uncontrolled" environments. The formula to calculate exposure limits at the frequencies used by the PCS system is:

$$f [\text{frequency (MHz)}] / 1500$$

Substituting AT&T's frequencies in the formula, the maximum permissible power density exposure limits for 1950 to 1965 MHz are 1.30 to 1.31 mW/cm², respectively. The permissible exposure is weighted over a 30-minute time period verses a six-minute period used in the previous 1982 ANSI guidelines.

At less than 0.001 mW/cm², the likely power densities at the base of the PCS system will be more than 1,200 times less than the maximum permissible exposure levels set by the ANSI guidelines.

b. **Other Guidelines**

The National Council on Radiation Protection and Measurements (NCRPM) specifies a fixed level of 1 mW/cm² as the acceptable exposure level for the general public. The International Radiation Protection Association's (IRPA) guidelines for public exposure also recommend 1 mW/cm².

<u>Summary</u>	<u>Power Density (mW/cm²)</u>
ANSI/IEEE Maximum Permissible	1.30
NCRPM and IRPA Guidelines	1
Maximum Exposure Level at the base of a PCS Installation	<.001

Power Densities:

a. **PCS Systems**

A recent safety analysis by Bell Laboratories (October 12, 1995), indicates that "in all normally accessible areas in the neighborhood surrounding a typical PCS installation, the maximum levels of RF energy associated with operation of the antennas will be 1,200 times below the exposure limits of the 1992 ANSI/IEEE C95.1 safety guideline." The full report of this study which includes more details of the characteristics of facilities like the proposed and their relationship to the published standards and guidelines is included as Appendix A.

b. **Radio and Television**

Radio and television stations transmit at frequencies between 550 kHz and 800 MHz. These stations transmit using radiated power in the tens of thousands watts. When compared to the 3,000 watts, or less, from the proposed PCS facility, one can readily see that PCS systems do not significantly contribute to the public's overall environmental exposures to RF radiation.

Environmental measurements of RF radiation by the Environmental Protection Agency and the FCC typically find levels well below exposure guidelines. In cases where levels have exceeded guidelines, there were unusual circumstances that placed the public too close to an antenna.

IV. DISCUSSION OF UNAVOIDABLE ADVERSE EFFECTS

Based on the above observations, the unavoidable adverse effects can be reduced to one item: the visibility of the antennas. This facility will be installed on an existing metal lattice tower among several existing antennas, and the equipment cabinets will be installed within an existing fenced area. The addition of this new installation will not significantly detract from the existing appearance of the facility.

V. ALTERNATIVES TO THE PROPOSED ACTION

Should approval for the proposed project be denied, it would be necessary to seek an alternative site within 0.25 to 0.5 mile of the proposed location. A tower of at least 150 feet in height and the associated equipment cabinets would have to be constructed. Approval of the proposed facility will eliminate the potential need for a freestanding monopole or tower facility.

VI. ASSESSMENT OF LONG-TERM EFFECTS

The long-term effects are limited to the presence of the proposed antennas. No environmental degradation will result from installation of this facility.

VII. COMMITMENT OF RESOURCES

The proposed project does not require any unusual materials or resources. Approval of the project will negate the need for an additional nearby station thereby conserving the land, materials, and energy required to construct it.

VIII. CONCLUSIONS

The proposed project will cause little or no impact to the environment and in effect, will result in a benefit to the public by providing improved Personal Communication Systems service in Baltimore County.

Appendix A



**Safety Analysis of the Electromagnetic Environment in the
Vicinity of a Personal Communication Services (PCS) Base Station**

Radiation Protection and Product Safety Department
AT&T Bell Laboratories
Murray Hill, New Jersey 07974-0636

Summary

This report is a safety analysis of the radiofrequency (RF) electromagnetic environment in the vicinity of a typical AT&T Wireless Services PCS radio base station. The analysis utilizes engineering data provided by AT&T Wireless, together with well-established analytical techniques for calculating the RF electromagnetic fields associated with PCS antennas. Worst-case assumptions were used to ensure safe-side estimates, i.e., the actual values will be significantly lower than the corresponding analytical values. The analysis indicates that the maximum level of RF energy to which the public may be exposed is below all applicable health and safety limits.

Specifically, in all normally accessible areas in the neighborhood surrounding a typical PCS installation, the maximum levels of RF energy associated with operation of the antennas will be 1,200 times below the exposure limits of the 1992 ANSI/IEEE C95.1 safety guideline.

Prepared for
AT&T Wireless Services
15 E. Midland Avenue
Paramus, New Jersey 07652

October 12, 1995

I. Introduction

This report was prepared in response to a request from AT&T Wireless Services for a safety analysis of the radiofrequency (RF) electromagnetic environment in the vicinity of a typical personal communication services (PCS) base station, and an opinion regarding the concern for public health associated with long-term exposure in the environment surrounding such an installation.

2. Technical Data

PCS base station antennas transmit at frequencies between 1930 and 1965 million hertz (MHz). Like antennas used for cellular radio, PCS antennas might be mounted on a lattice tower, monopole-type structure or on a building rooftop.

Based on information provided by AT&T Wireless Services, the radiated power per transmitter (channel) for a PCS base station would be less than 10 watts, and the radiated power per sector would be less than 240 watts (assuming the maximum number of transmitters are installed and operate simultaneously). This is an extremely low power system when compared with other familiar radio systems, such as AM, FM and television broadcast, which operate upwards of 50,000 watts. Figure 1 is a diagram of the electromagnetic spectrum which also lists common uses of RF energy. Table 1 below lists engineering specifications for a PCS base station.

Table 1
Engineering Specifications for a Typical PCS Radio System

Site Specifications	
antenna centerline height above grade	98 ft
number of transmit antennas per sector	1
number of receive antennas per sector	2
number of transmitters (channels) per sector	24
antenna manufacturer	DABA
model number	58000
gain	17.15 dBi
downtilt	0°
maximum ERF† per channel	120 watts
maximum radiated power per channel	4 watts
maximum radiated power per sector‡	96 watts

† ERF - Effective Radiated Power. ERF is a measure of how well an antenna concentrates RF energy; it is not the power radiated from the antenna. To illustrate the difference, compare the brightness of an ordinary 100 watt light bulb with that from a 100 watt spot-light. Even though both are 100 watts, the spot-light appears brighter because it concentrates the light in one direction. In this direction, the spot light effectively appears to be emitting more than 100 watts. In other directions, there is almost no light emitted by the spot-light and it effectively appears to be much less than 100 watts.

‡ Assumes the maximum number of transmitters per sector, 24, are operating continuously.

3. Environmental Levels of RF Energy

The antenna pattern from a PCS antenna is such that the energy is propagated in a relatively narrow beam (in the vertical plane) which is directed toward the horizon. The reason for this is to provide uniform coverage. Hence, levels of RF energy directly under the antennas will not be remarkably different from the levels at points more distant.

For a PCS base station, the maximum potential exposure level associated with operation of the antennas can be readily calculated at any point in a plane at any height above grade. Based on the information provided by AT&T Wireless, and assuming that the maximum number of radio channels operates continuously, the power density at any point in a horizontal plane 6 ft above grade will be less than 1.0 millionth of a watt per centimeter squared ($1.0 \mu\text{W}/\text{cm}^2$), and also will be less than $1.3 \mu\text{W}/\text{cm}^2$ at any point in a corresponding plane 16 ft above grade. The latter is representative of the maximum power density immediately outside of the second floor of nearby residences (assuming level terrain).

The above levels are theoretical maxima that could occur and are not typical values. The calculations include the effect of field reinforcement from in-phase reflections, and the assumption was made that the maximum number of transmitters operates simultaneously and at maximum output power. Although the above values are obtained analytically, experience has shown that the technique used is extremely conservative. That is, the measured power density levels have always been found to be smaller than the corresponding calculated levels. Furthermore, levels inside nearby homes and buildings will be lower than those immediately outside because of the high attenuation of common building materials at these frequencies and, hence, will not be significantly different from normal ambient levels.

4. Comparison with Standards

Table 2 below shows the calculated maximal RF power density levels in the vicinity of a base station. Table 3 shows the pertinent federal, state and consensus exposure limits for human exposure to RF energy. The various exposure limits range from $1,000 \mu\text{W}/\text{cm}^2$ (public exposure) to $10,000 \mu\text{W}/\text{cm}^2$ (occupational exposure), while the corresponding calculated maximum power density levels in the environment surrounding a PCS installation from operation of the antennas would be less than $1.0 \mu\text{W}/\text{cm}^2$ (at 6 ft above grade) and $1.3 \mu\text{W}/\text{cm}^2$ (at 16 ft above grade). The power density in the main beam of the antenna will be less than $10 \mu\text{W}/\text{cm}^2$ at any distance greater than 200 ft from the antennas.

Table 2
Calculated Maximal RF Power Density Levels
for a Typical PCS Base Station

Location	Power Density ($\mu\text{W}/\text{cm}^2$)
6 ft above grade.....	<1.0
16 ft above grade.....	<1.3
In the main beam, 200 ft from the antennas.....	<10.0

1. Petersen, R.C., and Testagrossa, P.A., Radiofrequency Fields Associated with Cellular Radio Cell-Site Antennas. *Bioelectromagnetics*, Vol. 13, No. 6 (1992).

Table 3
Summary of State, Federal and Consensus Guidelines
for Exposure to Radiofrequency Energy at Frequencies
Used for PCS

Organization/Government Agency	Exposure Population	Exposure Limit ($\mu\text{W}/\text{cm}^2$)
Occupational Safety & Health Administration (OSHA - 29 CFR 1910.97)	Occupational	10,000
American National Standards Institute (ANSI C95.1 - 1982)	Occupational Public	5,000 5,000
Institute of Electrical and Electronic Engineers (ANSI/IEEE C95.1 - 1992)	Occupational Public	6,000 1,200
National Council on Radiation Protection & Measurements (NCRP Report 86 - 1986)	Occupational Public	5,000 1,000
U.S. Federal Communications Commission (requires PCS licensees to comply with ANSI C95.1 - 1992)	Occupational Public	6,000 1,200
New Jersey Administrative Code (NJAC 7:28-42)	Public	5,000
Massachusetts Department of Health (105 CMR 122)	Public	1,000
New York State Department of Health (follows NCRP Report 86)	Public	1,000

Latest revision of ANSI C95.1 - 1982

5. Discussion of Health Standards

Recently, press coverage has suggested an association between health effects and exposure to magnetic fields from electric-power distribution lines, and from the use of hand-held cellular telephones. This press coverage has heightened concern among some members of the public about the possibility that health effects may be associated with any exposure to electromagnetic energy. Many people feel uneasy about new or unfamiliar technology and often want absolute proof that something is safe. Such absolute guarantees are not possible since it is virtually impossible to prove that something does *not* exist. However, sound judgments can be made as to the safety of a physical agent based on the weight of the pertinent scientific evidence. This is exactly how safety guidelines are developed.

The overwhelming weight of scientific evidence unequivocally indicates that biological effects associated with exposure to RF energy are threshold effects, i.e., unless the exposure level is sufficiently high the effect will not occur regardless of exposure duration. (Unlike ionizing radiation, e.g., X-rays and nuclear radiation, repeated exposures to low level RF radiation, or nonionizing radiation, are not cumulative.) Thus, it is relatively straightforward to derive safety limits. By adding safety factors to the threshold level at which the most sensitive effect occurs, conservative exposure guidelines have been developed to ensure safety.

At present, there are more than 10,000 reports in the scientific literature which address the subject of RF bioeffects. These reports, most of which describe the results of epidemiological studies and animal studies, have been critically reviewed by leading researchers in the field and all new studies are continuously being reviewed by various groups and organizations whose interest is developing health standards. These include the U.S. Environmental Protection Agency, the National Institute for Occupational Safety and Health, the National Council on Radiation Protection and Measurements, the

standards committees sponsored by the Institute of Electrical and Electronics Engineers, the International Radiation Protection Association under the sponsorship of the World Health Organization, and the National Radiological Protection Board of the UK. All of these groups have recently either reaffirmed existing health standards, developed and adopted new health standards, or proposed health standards for exposure to RF energy.

For example, in 1986, the National Council on Radiation Protection and Measurements (NCRP) published recommended limits for occupational and public exposure². These recommendations were based on the results of an extensive critical review of the scientific literature by a committee of the leading researchers in the field of bioelectromagnetics. The literature selected included many controversial studies reporting effects at low levels. The results of all studies were weighed, analyzed and a consensus obtained establishing a conservative threshold upon which safety guidelines should be based. This threshold corresponds to the level at which the most sensitive, reproducible effects were reported in the scientific literature. Safety factors were incorporated to ensure that the resulting guidelines would be at least ten to fifty times lower than the established threshold, even under worst-case exposure conditions. The NCRP recommended that continuous occupational exposure to PCS radio frequencies should not exceed approximately 5,000 $\mu\text{W}/\text{cm}^2$, and continuous exposure of the public should not exceed 1,000 $\mu\text{W}/\text{cm}^2$.

In July of 1986, the Environmental Protection Agency published a notice in the *Federal Register*, calling for public comment on recommended federal guidance for exposure of the public³ to RF energy. As of 1987 the EPA abandoned its efforts and failed to adopt official federal RF exposure guidelines. However, in 1993 the EPA, in commenting on the Federal Communications Commission's (FCC) Notice of Proposed Rule Making⁴, recommended adoption of the 1986 NCRP limits.

Further, the maximum permissible exposure limits proposed by the Institute of Electrical and Electronics Engineers Standards Coordinating Committee SCC-28 (formerly ANSI Committee C95), were approved by the IEEE Standards Board on September 26, 1991⁵, and approved by ANSI on November 18, 1992. This 1992 ANSI/IEEE C95.1 guideline resulted from an extensive critical review of the scientific literature and recommend a limit of 6,000 $\mu\text{W}/\text{cm}^2$ for continuous occupational exposure and 1,200 $\mu\text{W}/\text{cm}^2$ for continuous exposure of the public to PCS radio frequencies. (Although there are no federal safety limits, *per se*, in order to fulfill its obligations under the National Environmental Policy Act, the FCC requires that PCS licensees comply with the limits of the 1992 ANSI/IEEE C95.1 safety guideline⁶.)

More recently, the World Health Organization's International Commission on Non-ionizing Radiation Protection⁷ and the National Radiological Protection Board in the United Kingdom⁸ independently developed and published guidelines similar to those of ANSI/IEEE. Finally, what was formerly the USSR, which traditionally had the lowest exposure guides, twice has revised upward its limits for public exposure. Thus, there is a converging consensus of the world's scientific community as to what constitutes safe levels of exposure.

2. *Biological Effects and Exposure Criteria for Radio Frequency Electromagnetic Fields*, NCRP Report No. 86, National Council on Radiation Protection and Measurements, Bethesda, MD, (1986).

3. *Federal Register*, Vol. 51, No. 146, Wednesday, July 30, 1986.

4. Notice of Proposed Rule Making in the Matter of Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation, August 13, 1993, ET Docket No. 93-62.

5. *IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz*, ANSI/IEEE C95.1-1992, Institute of Electrical and Electronics Engineers, Piscataway, NJ.

6. *Code of Federal Regulations*, 47 CFR 24.52, 1994.

7. *Electromagnetic Fields (300 Hz to 300 GHz)*, Environmental Health Criteria 137, World Health Organization, Geneva, Switzerland (1993).

8. *Board Statement on Restrictions on Human Exposure to Static and Time Varying Electromagnetic Fields and Radiation*, Documents of the NRPB, Vol. 4, No. 5, National Radiological Protection Board, Chilton, United Kingdom (1993).

With respect to the proposed PCS radio antennas, be assured that *actual* exposure levels in the vicinity of a typical base station will be below any health standard used anywhere in the world and literally thousands of times below any level reported to be associated with any verifiable functional change in humans or laboratory animals. This holds true even when all transmitters operate simultaneously and continuously. Power density levels of this magnitude are not even a subject of speculation with regard to an association with adverse health effects.

6. For Further Information.

Anyone interested can obtain additional information about the environmental impact of land mobile services, including PCS, from:

Dr. Robert Cleveland, Jr.
Federal Communications Commission
Office of Engineering and Technology
Room 7002
1919 M Street NW
Washington, DC 20554
(202) 653-8169

7. Conclusion

A safety analysis has been performed with respect to potential public exposure to RF energy in the environment surrounding a typical PCS base station. The analysis utilized engineering data provided by AT&T Wireless Services together with well-established analytical techniques for estimating the environmental levels of RF energy associated with PCS antennas. Worst-case assumptions were used to ensure safe-side estimates, i.e., the actual values will be significantly lower than the corresponding analytical values. The analysis indicates that the maximum level of RF energy to which the public may be exposed will meet all applicable health and safety limits.

Specifically, in all normally accessible areas surrounding a typical PCS installation, the maximum levels of RF energy associated with operation of the antennas will be 1,200 times below the public exposure limits of the 1992 ANSI/IEEE C95.1 safety guideline.

Enclosures:

Figure 1 - Electromagnetic Spectrum

PROPOSED
UNMANNED
WIRELESS
COMMUNICATION
SITE
B 055.1
UMBC

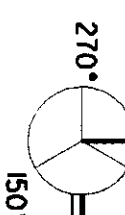
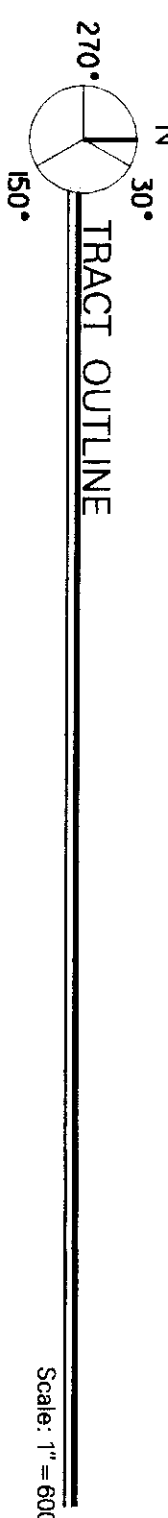
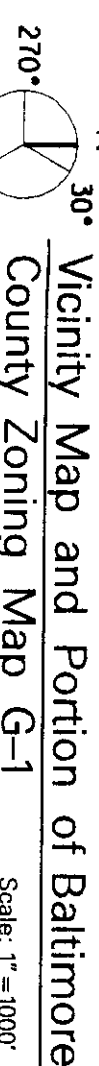

SILE DAIA

AG	AMSL
150'	
Total AMSL	
Structure Type (BOCA Classification)	

More 30' Road
Electrical
Surveyor
Drawn By TC / MPC
ISSUED FOR CONSTRUCTION

Special Hearing to approve an amendment to the site plan approved in Case # 96-307-SFHA to permit additional antennas and equipment on the existing Wireless Transmitting and Receiving Facility.

97-124-SPH



- | | |
|-------------------------|---|
| Site data: | 5401 Wilkens Avenue
Baltimore, MD 21208
Tax map: 101, block 22, parcel 1372 |
| Sheet Address: | 5401 Wilkens Avenue
Baltimore, MD 21208 |
| Existing use: | University and related of Street Parking |
| Special exception area: | 7.99 Ac. ± |
| Total Site area: | 438.77 Ac. ± |
| Current use: | A173 Wireless Services, Inc.
8443 Coatsville Road
Silver Spring, MD 20910 |

The proposed wireless transmitting and receiving facility will consist of (9) 54± high x 7± wide x 3± deep Panel Antennas and (1) 24' Dist. Antenna mounted at 150± above the ground plane on the existing 369' high tower, and (2) 4-5' high x 5± wide x 3.5± deep Equipment Cabinets, mounted on a new 10 x 12 concrete pad.

Zoning History

The site was the subject of Zoning case #88-25C-SR-XX requesting a Special Hearing to determine the placement (and use) of three antennas on an existing 350 ft high tower (not subject to the Special Exception (Public Hearing) process). Zoning Case #88-25C-SR-XX also requested a special exception to permit a wireless transmitting and receiving antenna on the tower. The Zoning Commission of Baltimore County ordered that the case be dismissed without prejudice.

The site was the subject of Zoning case # 96-23C-XA, which requested a Special Exception to permit a Wireless transmitting and receiving antenna on the tower. A Variance to permit a property line setback of 225' for a 287' high tower was also requested. The Zoning Commission of Baltimore County granted the Special Exception and the Variance, subject to the following restriction:

the appellators may apply for their petition and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired, for whatever reason this Order is reversed, the tolling herein shall be rescinded.

The site was the subject of Zoning Case # 96-397-SPA, which requested a Special Hearing to amend the site plan which requested a Special Hearing to amend the site plan two buildings in a DRB 5 zone, one side and 67.21 feet of the perimeter 40' and to show a 368' sign wireless transmitting tower to have a frequency band request of 27.2' instead of the 27.2' request. The request was approved by the Board of Baltimore County granted the request subject to the following restrictions:

The restrictions are hereby made aware that processing of the request for the proposed tower and sign will be subject to the following conditions:

For whatever reason this Order is reversed, the applicant agrees to pay the cost of the appeal process from the date the Order has expired. It is the responsibility of the applicant to maintain and be responsible for turning said property to its original condition.

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
SE/Corner Wilkens and Walker Avenues * DEPUTY ZONING COMMISSIONER
333' NW of the c/l Walker Ave. * OF BALTIMORE COUNTY
(5401 Wilkens Avenue)
1st Election District * Case No. 97-124-SPH
1st Councilmanic District
State of Maryland, University of
Maryland Baltimore County - Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 5401 Wilkens Avenue, located in the vicinity of Paradise Avenue in Arbutus. The Petition was filed by the owners of the property, State of Maryland, University of Maryland Baltimore County (UMBC), by Leland R. Beitel, Vice President, and the Contract Lessee, AT&T Wireless Services, Inc., by John Andrews, Agent, through their attorney, S. Leonard Rottman, Esquire. The Petitioners seek approval of an amendment to the previously approved site plans in prior Cases Nos. 95-392-XA and 96-307-SPHA to permit the addition of more antennae to an existing wireless transmitting and receiving tower at the above-referenced location. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were representatives of UMBC and AT&T Wireless Services, Inc. The Petitioners were represented by Leonard Rottman and J. Joseph Curren, III, attorneys at law. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the property which is the subject of this request is located within the UMBC complex and consists of 7.99 acres, zoned D.R. 3.5. As noted above, this parcel was

the subject of prior Cases Nos. 95-392-XA and 96-307-SPHA in which a special exception, special hearing and variances were granted to other cellular telephone carriers for wireless transmitting and receiving facilities on the subject property. The Petitioners now come before me seeking an amendment of the previously approved site plans to permit AT&T to locate antennae on the existing tower in the location shown on Petitioner's Exhibit 1. A structural study of the tower was performed and it was determined that the tower had the capacity to support the additional antennae as proposed. However, a special hearing is necessary to amend the previously approved site plans to reflect the proposed improvements.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of November, 1996 that the Petition for Special Hearing seeking approval of an amendment to the previously approved site plans in prior Cases Nos. 95-392-XA and 96-307-SPHA to permit the addition of more antennae to an existing wireless transmitting and receiving tower at the above-referenced location, in accordance with Petition-

- 2 -

er's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date: 11/24/96
By: [Signature]

- 3 -



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 7, 1996

S. Leonard Rottman, Esquire
Adelberg, Rudow, Dorf, Hendler & Semeth
600 Mercantile Bank & Trust Building
Two Hopkins Plaza
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL HEARING
SE/Corner Wilkens and Walker Avenues 333' NW of the c/l Walker Avenue
(5401 Wilkens Avenue)
1st Election District - 1st Councilmanic District
State of Maryland, Univ. of Maryland Baltimore County - Petitioners
Case No. 97-124-SPH

Dear Mr. Rottman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Leland R. Beitel, Vice President, UMBC
5401 Wilkens Avenue, Baltimore, Md. 21228

Mr. John Andrews, AT&T Wireless Services, Inc.
8403 Colesville Road, Silver Spring, Md. 20910

People's Counsel
file



Petition for Special Hearing 97-124-SPH to the Zoning Commissioner of Baltimore County for the property located at 5401 Wilkens Avenue which is presently zoned DR 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

an amendment to the Site Plan approved in Case Numbers 95-392-XA and 96-307-SPHA for the purpose of adding additional entrances to existing tower.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

With co-ownership and after, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Current Petitioner/Owner:
AT&T Wireless Services, Inc.
By: John Andrews, Agent
(Type or Print Name)

Signature: [Signature]
Address: 8403 Colesville Road
Silver Spring, Md. 20910
City State Zip

Address for Petitioner:
S. Leonard Rottman, Esquire
Adelberg, Rudow, Dorf, Hendler & Semeth
(Type or Print Name)

Signature: [Signature]
Address: 600 Mercantile Bank & Trust Bldg.
Two Hopkins Plaza
Baltimore, Md. 21201
City State Zip

Legal Owner(s):
State of Maryland
University of Maryland Baltimore County
(Type or Print Name)

Signature: [Signature]
Address: 5401 Wilkens Avenue
Baltimore, Md. 21228
City State Zip

Owner, Address and phone number of representative to be contacted:
S. Leonard Rottman, Esquire
Adelberg, Rudow, Dorf, Hendler & Semeth
600 Mercantile Bank & Trust Bldg.
Two Hopkins Plaza
Baltimore, Md. 21201 (410) 539-5195
Address Phone No.

Signature: [Signature]
Address: 5401 Wilkens Avenue
Baltimore, Md. 21228
City State Zip

ESTIMATED LENGTH OF HEARING
the following date: Next Two Months
ALL OTHER
REVIEWED BY: [Signature] DATE: 9-18-96
124

Description

To Accompany Petition for
Special Hearing

7.99 Acre Special Exception Parcel
University of Maryland, Baltimore County
5401 Wilkens Avenue

Thirteenth Election District, Baltimore County, Maryland

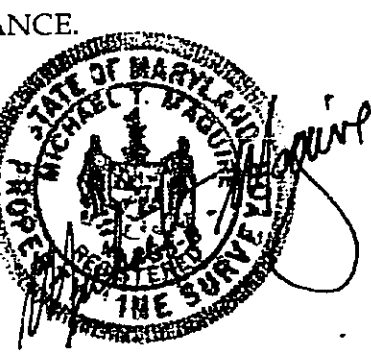
Beginning for the same at the end of the second of two following courses

and distances measured from the point formed by the intersection of the centerline of Walker Avenue with the centerline of Campus Loop Road (1) North 52 degrees 54 minutes 54 seconds West along the centerline of Walker Avenue 245 feet, more or less, and thence (2) North 37 degrees 00 minutes 38 seconds East 333 feet, more or less, to the point of beginning, said point of beginning having coordinate values South 13645 feet, more or less, and West 27806 feet, more or less, said values being referred to the coordinate system established in the Baltimore County Metropolitan District, thence leaving said beginning point and running the five following courses and distances, viz.: (1) North 53 degrees 04 minutes 22 seconds West 379.08 feet, thence (2) North 36 degrees 55 minutes 38 seconds East 590.00 feet, thence (3) South 53 degrees 04 minutes 22 seconds East 590.00 feet, thence (4) South 36 degrees 55 minutes 38 seconds West 590.00 feet, and thence (5) North 53 degrees 04 minutes 22 seconds West 210.92 feet to the point of beginning; containing 7.99 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

August 27, 1996

Project No. 96035.33



CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/3, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on 10/3, 1996.

THE JEFFERSONIAN,
G. Henneberry
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 101 of the County Office Building, 111 West Chesapeake Avenue in Towson, Maryland 21204 at 10:00 a.m. on Friday, October 25, 1996 at 2:00 p.m. in Room 101, County Office Building.
Case #97-124-SPH
(Item 124)
2001 Wilkens Avenue
Campus, University of Maryland Baltimore County
1st Election District
1st Councilmanic District
Legal Owner(s)
State of Maryland, University of Maryland Baltimore County
Lessee, AT&T Wireless Services, Inc.
Special Hearing to approve an amendment to the site plan approved in Case Numbers 95-392-XA and 96-307-SPHA for the purpose of adding additional entrances to existing tower.
Hearing: Friday, October 25, 1996 at 2:00 p.m. in Room 101, County Office Building.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are held on Wednesdays, 10:00 a.m. to 2:00 p.m. for special accommodations. Please call 887-3393. (2) For alternative arrangements for the public hearing, please call 887-3391.
10047 Dos 3 CERT3

CERTIFICATE OF POSTING

RE: Case No. 97-124-SPH

Petitioner/Developer:

Date of Hearing/Closing:

Baltimore County Department of Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 5401 Wilkens Avenue, Baltimore, Md.

The sign(s) were posted on Oct 10, 96 (Month, Day, Year)

Sincerely,

[Signature] 10-10-96
(Signature of Sign Poster and Date)

[Signature]
(Printed Name)

4340 East West Hwy
(Address)

Bethesda, MD 20814
(City, State, Zip Code)

301-652-1496
(Telephone Number)

906
cert.doc



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-124-SPH

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirement for advertising is satisfied. However, the petitioner is responsible for the costs associated with this requirement.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) The cost of the sign will be assessed and paid to this office at the time of filing.
- 2) If this petition is filed by a professional, you will be required to post the sign and this office will telephone you when the sign is ready to be picked up.
- 3) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

TO BE TELEPHONED WHEN SIGN IS READY:

LEONARD ROTTMAN, ESQ. 539-5195
Name: Company: ADELBERG, RUDW. DORF, A. Phone Number: 539-5195

For newspaper advertising:

Item No.: 124
Petitioner: AT&T WIRELESS

PLEASE FORWARD ADVERTISING BILL TO:

NAME: LEONARD ROTTMAN, ESQ.
ADDRESS: 600 MERCANTILE BANK & TRUST BLDG.
Two HOPKINS PLAZA BALD, MD. 21204
PHONE NUMBER: 539-5195

TO: FUTURE PUBLISHING COMPANY
October 3, 1996 Issue - Jeffersonian

Please forward billing to:

Leonard Rottman, Esq.
600 Mercantile Bank & Trust Bldg.
Two Hopkins Plaza
Baltimore, MD 21201
539-5195

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-124-SPH (Item 124)
5401 Wilkens Avenue
Campus, University of Maryland, Baltimore County
1st Election District - 1st Councilmanic
Legal Owner(s): State of Maryland, University of Maryland Baltimore County
Lessee: AT&T Wireless Services, Inc.

Special Hearing to approve an amendment to the site plan approved in case numbers 95-392-X and 96-307-SPH for the purpose of adding additional antennas to existing towers.

HEARING: FRIDAY, OCTOBER 25, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAURENCE S. SCHMITZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 27, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-124-SPH (Item 124)
5401 Wilkens Avenue
Campus, University of Maryland, Baltimore County
1st Election District - 1st Councilmanic
Legal Owner(s): State of Maryland, University of Maryland Baltimore County
Lessee: AT&T Wireless Services, Inc.

Special Hearing to approve an amendment to the site plan approved in case numbers 95-392-X and 96-307-SPH for the purpose of adding additional antennas to existing towers.

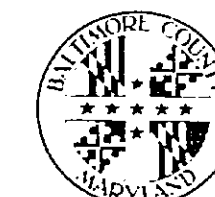
HEARING: FRIDAY, OCTOBER 25, 1996 at 2:00 p.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Isahad R. Bittel/DMC
John Andrews/NEZ
S. Leonard Rottman, Esq.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1996

S. Leonard Rottman, Esquire
Adelberg, Rudw. Dorf, Hendler & Semeth
600 Mercantile Bank & Trust Building
Two Hopkins Plaza
Baltimore, MD 21201

RE: Item No.: 124
Case No.: 97-124-SPH
Petitioner: UNBEC

Dear Mr. Rottman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 18, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Rubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 7, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 7, 1996
Item Nos. 119, 121, 122, 124, 125,
126, 127, & 129

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4830

DATE: 10/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 30, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 119, 120, 121, 122, 124,
125, 126, 127 and 129.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 103
Towson, Maryland 21204

RE: Baltimore County
Item No. 124 (JCM)

9/27/96

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Michael Smith
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 26, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 110, 111, 112, 118, 119, 120, 122, 124, and 127

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kern

PK/JL

ITEM:10/PZONE/TXTJVL

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Sep 26, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 119
122
124
125
126
127
129

RBS:sp
BRUCE2/DEPRM/TXTS8P

RE: PETITION FOR SPECIAL HEARING
5401 Wilkens Avenue (Campus of UMBC)
1st Election District, 1st Councilmanic
Legal Owner(s): State of Maryland,
University of Maryland Baltimore County
Lessee: AT&T Wireless Services, Inc.
Petitioners
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 97-124-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to S. Leonard Rottman, Esq., Adelberg, Rudow, Dorf, 2 Hopkins Plaza, Suite 600, Baltimore, MD 21201, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

NEUBAUER CONSULTING ENGINEERS, P.A.
7825 TUCKERMAN LANE, POTOMAC, MD 20854
(301) 299-7617 FAX (301) 299-6547

28 May, 1996

Mr. Toby Moskona
BTS
4340 East West Highway, Suite 1000
Bethesda, MD 20814

Re: Tower, University of Maryland Catonsville

Dear Mr. Moskona:

The above tower is structurally capable of supporting AT&T's cellular array at elevation 150' in addition to the other antenna on the tower. The capacity of the tower legs to withstand vertical loads is the limiting condition.

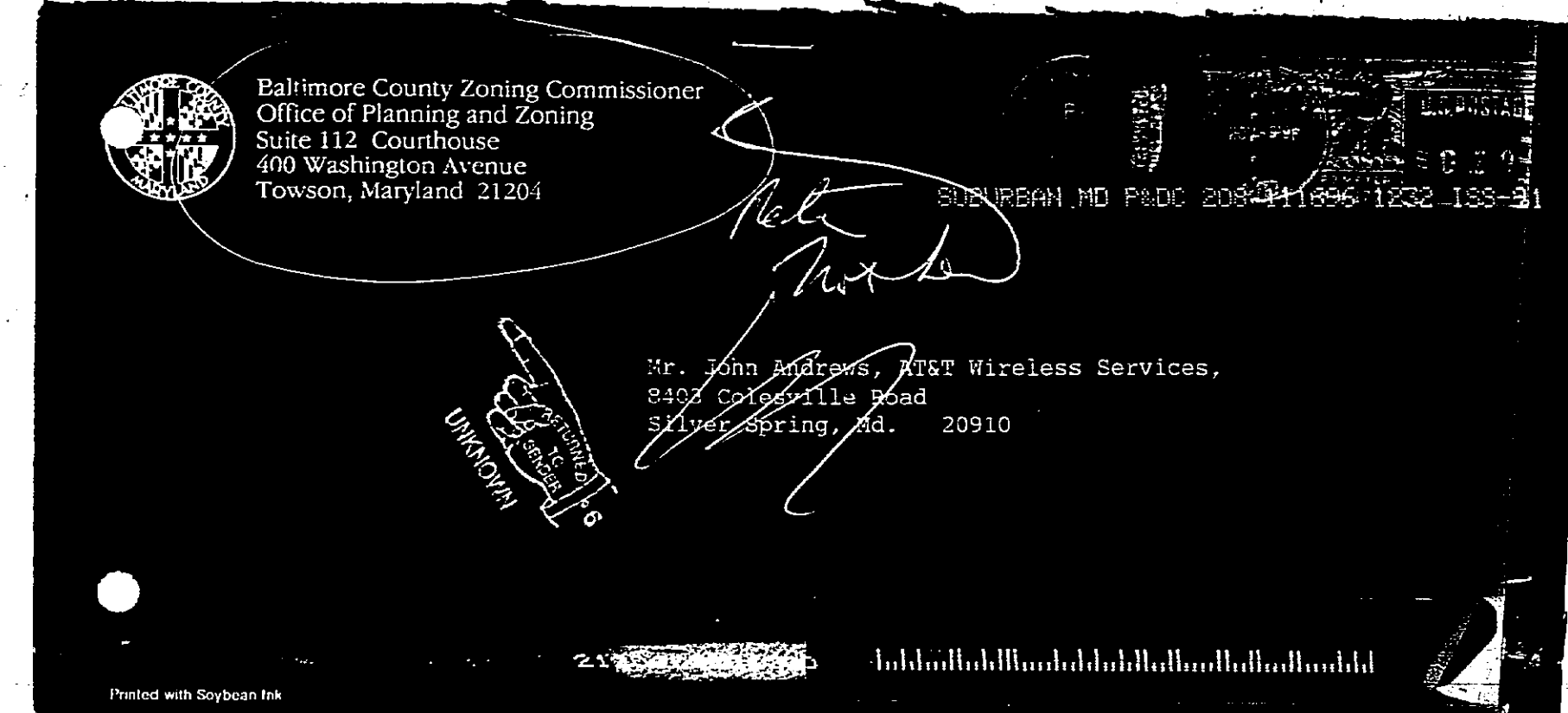
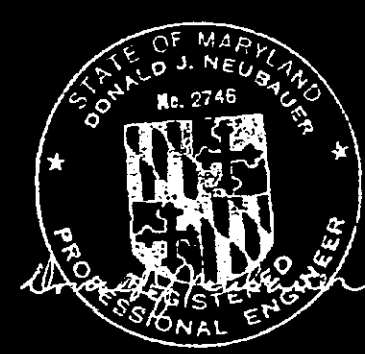
In span 1 up to 70', the leg load is 48.68 kips, the leg capacity is 64.5 kips. In span 2 the leg load is 49.12 kips with the allowable being 52.5 kips. In span 3 which is from elevation 130' to 170', the leg load is 37.7 kips with the allowable of 40.8 kips. These are the closest of loads and allowable loads. The difference becomes greater as one goes up the tower. The guy wires are generally loaded to about half of their allowable.

It appears that AT&T will be the last company on the tower without some strengthening of the legs.

If further information is needed, please let me know.

Very truly yours,
Donald J. Neubauer
Donald J. Neubauer

file: tower/att-uofind



Environmental Impact
Statement

AT&T Wireless Services, Inc.
UMBC

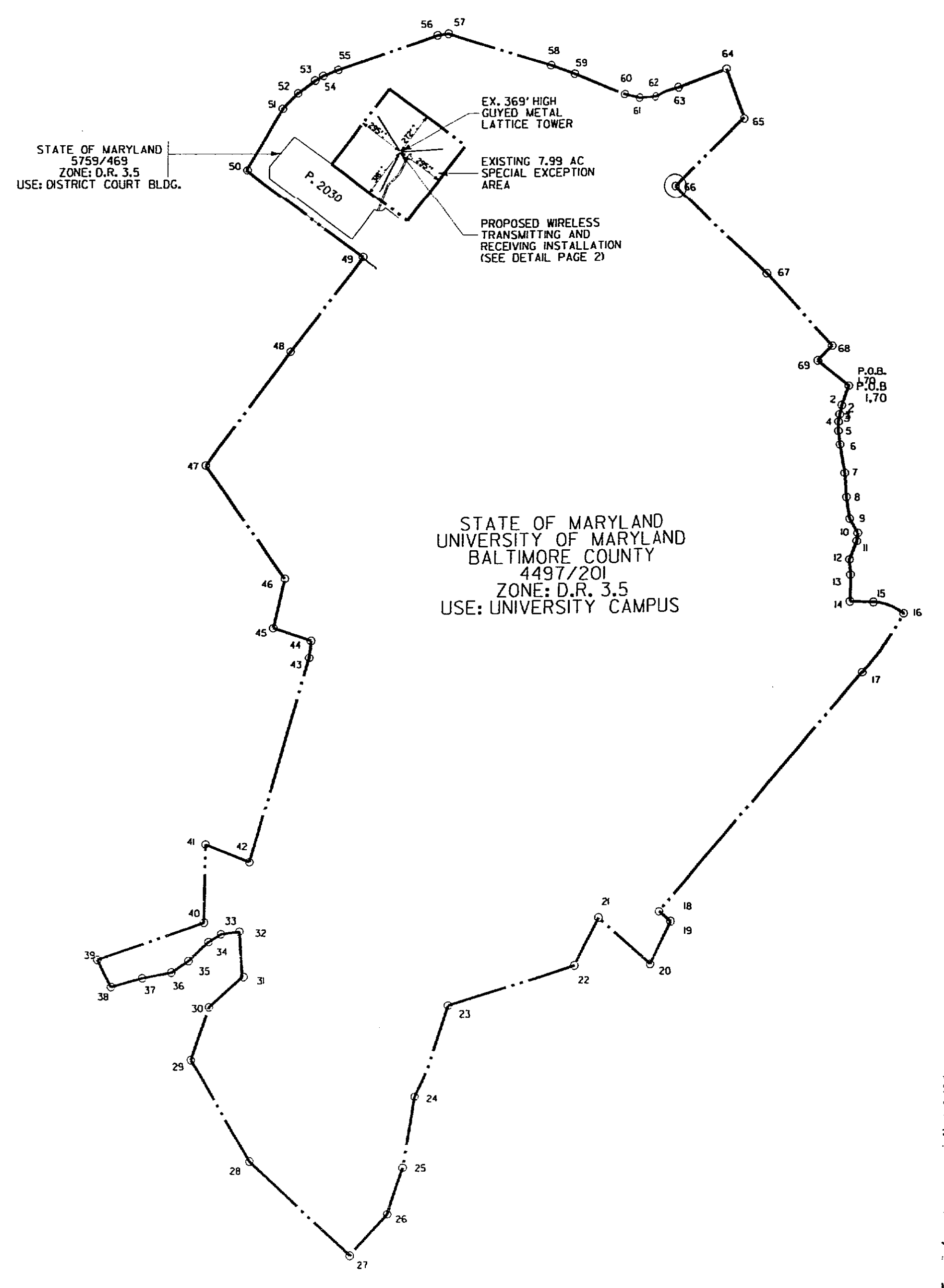
August 1996
DMW Project No. 96035.33

PETITIONER'S
EXHIBIT NO. 3

Prepared for:
AT&T Wireless Services, Inc.
8403 Coleville Road
Silver Spring, MD 20910

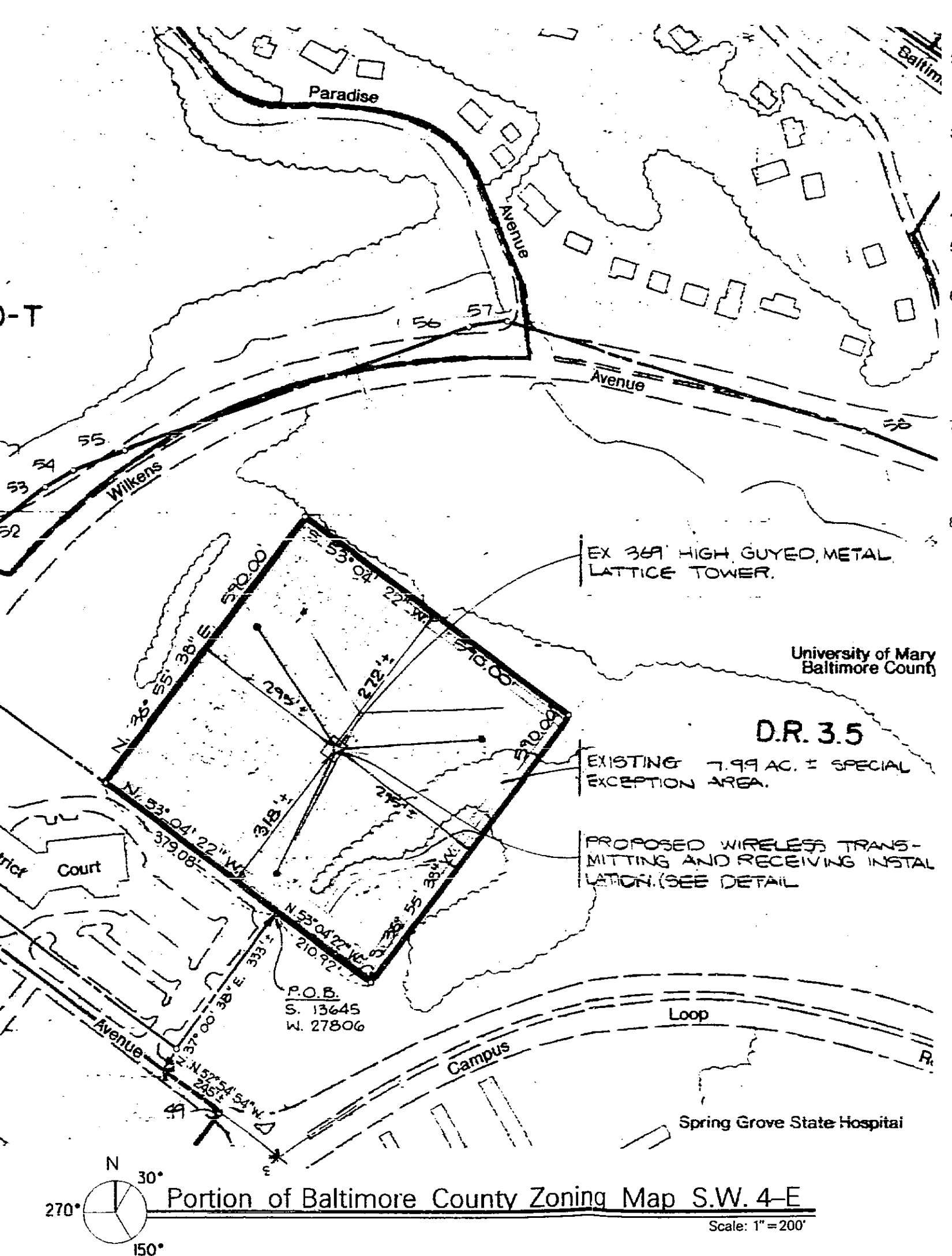
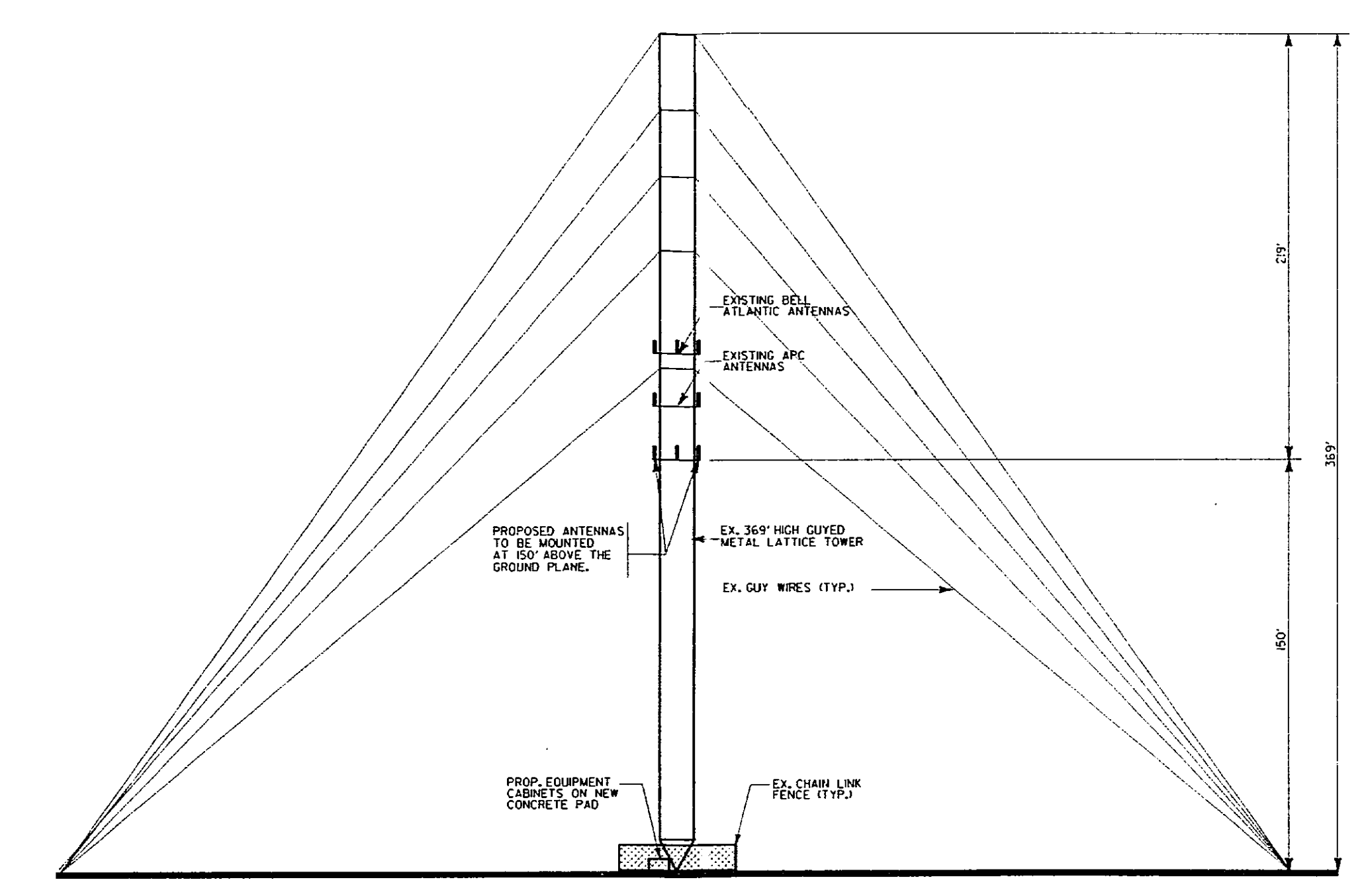
DMW
Prepared by:
Daft+McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296 4705
dmw@dmw.com





Bearings & Distances

FROM	BEARING	DISTANCE	TO	BEARING	DISTANCE	FROM	BEARING	DISTANCE	TO
1 to 2	S. 19° 06' 25" W	128.36'	23 to 24	S. 20° 02' 52" W	610.38'	47 to 48	N. 36° 32' 02" E	870.50'	
2 to 3	S. 15° 34' 47" W	56.51'	24 to 25	S. 08° 50' 02" W	435.29'	48 to 49	N. 37° 03' 52" E	735.38'	
3 to 4	S. 01° 52' 12" W	45.40'	25 to 26	S. 08° 47' 37" W	300.20'	49 to 50	N. 33° 01' 08" W	908.63'	
4 to 5	S. 01° 52' 12" W	45.40'	26 to 27	S. 43° 04' 24" W	345.54'	50 to 51	N. 30° 12' 05" E	444.24'	
5 to 6	S. 06° 15' 03" W	85.59'	27 to 28	N. 46° 45' 38" W	845.76'	51 to 52	N. 43° 23' 42" E	135.71'	
6 to 7	S. 06° 15' 03" W	85.59'	28 to 29	N. 30° 58' 13" W	735.69'	52 to 53	N. 53° 49' 42" E	150.00'	
7 to 8	S. 04° 15' 04" E	116.51'	29 to 30	N. 21° 06' 37" E	343.92'	53 to 54	N. 60° 39' 22" E	57.95'	
8 to 9	S. 08° 25' 08" E	135.33'	30 to 31	N. 01° 05' 42" W	280.93'	54 to 55	N. 64° 27' 42" E	100.00'	
9 to 10	S. 24° 46' 23" W	51.17'	31 to 32	N. 04° 53' 08" W	280.93'	55 to 56	N. 70° 43' 52" E	646.44'	
10 to 11	S. 01° 07' 22" W	119.86'	32 to 33	S. 81° 59' 42" W	13.77'	56 to 57	N. 82° 09' 53" E	646.44'	
11 to 12	S. 2° 49' 02" W	95.75'	33 to 34	S. 57° 28' 02" W	125.08'	57 to 58	S. 67° 09' 48" E	346.13'	
12 to 13	S. 03° 54' 36" E	163.57'	34 to 35	S. 75° 18' 02" W	165.36'	58 to 59	S. 73° 40' 18" E	105.41'	
13 to 14	S. 02° 48' 15" W	163.57'	35 to 36	N. 27° 36' 46" W	201.62'	59 to 60	S. 89° 02' 49" E	85.74'	
14 to 15	S. 88° 08' 03" E	200.86'	36 to 37	N. 70° 34' 46" W	181.22'	60 to 61	N. 70° 54' 23" E	328.89'	
15 to 16	R = 308.50'	L = 448.05'	37 to 38	N. 74° 36' 23" W	181.22'	61 to 62	N. 66° 43' 52" E	35.42'	
16 to 17	R = 308.50'	L = 448.05'	38 to 39	N. 00° 02' 28" W	483.60'	62 to 63	S. 9° 55' 39" E	66.68'	
17 to 18	S. 39° 41' 41" W	192.60'	39 to 40	S. 67° 41' 01" E	253.91'	63 to 64	S. 19° 55' 39" E	77.35'	
18 to 19	S. 50° 31' 08" E	92.22'	40 to 41	N. 05° 21' 42" E	1307.52'	64 to 65	S. 47° 08' 31" E	602.17'	
19 to 20	S. 25° 20' 02" W	280.65'	41 to 42	N. 04° 53' 02" E	102.44'	65 to 66	S. 47° 08' 31" E	602.17'	
20 to 21	N. 48° 24' 58" W	430.54'	42 to 43	N. 70° 52' 29" W	245.55'	66 to 67	S. 41° 46' 02" W	124.90'	
21 to 22	S. 26° 10' 02" W	327.47'	43 to 44	N. 1° 58' 32" E	33.64'	67 to 68	S. 50° 29' 58" E	245.59'	
22 to 23	S. 72° 36' 52" W	84.45'	44 to 45	N. 35° 10' 58" W	864.80'	68 to 69	N. 11° 48' 25" W	3.01'	



- NOTES:**
- Current owner and street address: State of Maryland University of Maryland Baltimore County 5401 Wilkens Avenue Baltimore, MD 21228
 - Current lessee: AT&T Wireless Services, Inc. 8403 Coleville Road Silver Spring, MD 20910
 - Total Site area: 438.77 Ac. ±
 - Special Exception area: 7.99 Ac. ±
 - Existing use: University and related off-street parking
 - Street Address: 5401 Wilkens Avenue Baltimore, MD 21228
 - Site data: Tax map 101, block 22, parcel 1372 Deed references: 4497/201 Tax Account Nos. 0197/2372, 160005752, 160005758 Zoning: D.R. 3.5 Erection Date: 1 and 13 Councilmanic Dist: 1
 - The proposed wireless transmitting and receiving facility will consist of (9) 54' x 7' x 7' high x 3' deep Panel Antennas and (1) 24' Dish Antenna mounted at 150' above the ground plane on the existing 369' high tower, and (2) 4' x 5' high x 5' x 3.5' deep Equipment Cabinets, mounted on a new 10' x 12' concrete pad.
 - Zoning History: This site was the subject of Zoning case # 95-325-SPHX, requesting a Special Hearing to determine if the placement (and use) of three antennas on an existing 350 ft. high tower owned by the University of Maryland would be exempt from or not subject to the Special Exception (Public Hearing) process. Zoning Case # 95-325-SPHX also requested a special exception to permit a wireless transmitting and receiving structure. On June 23, 1998 the Deputy Zoning Commissioner of Baltimore County ordered that the case be dismissed without prejudice. This site was the subject of Zoning Case # 95-392-XA, which requested a Special Hearing to permit a Wireless Transmitting and Receiving Facility in a D.R. 3.5 zone and a Variance to permit a property line setback of 25' for a 369' high wireless transmitting and receiving facility in lieu of the required 738'. On August 16, 1998 the Deputy Zoning Commissioner of Baltimore County granted the requests subject to the following restriction: The Petitioners may apply for their permit and be granted same upon receipt of this Order, however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded. This site was the subject of Zoning Case # 95-307-SPHA, which requested a Special Hearing to amend the site plan approved in Case 95-392-XA and Variance to allow two buildings in a D.R. 3.5 zone, a side yard of 21' in lieu of the permitted 40', and to allow a 369' high wireless transmitting tower to have a property line setback of 272' instead of the required 738'. On March 26, 1999 the Zoning Commissioner of Baltimore County granted the requests subject to the following restriction: The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return and be responsible for returning said property to its original condition.
 - No water or sanitary utilities are required for the facility.
 - The information and boundary location shown hereon have been compiled from the sources believed to be reliable, however their accuracy is not guaranteed and is subject to revision.
 - Environmental protection agency standards and guidelines relating to radiation emissions shall be met at all times.
 - When use is terminated equipment and antennas will be removed.
 - Every five years, or sooner in the event of substantial damage, a certification by a professional engineer registered in Maryland shall be filed with the Department of Permits and Licenses indicating that the structure meets all safety requirements. Any upgrading or maintenance required to comply with any changes in safety requirements, or to maintain the safety thereof, shall be performed prior to the filing of such certification.
 - An environmental impact statement as defined in Section 101 of the Baltimore County Zoning Ordinance shall be submitted, at the time of the hearing, to the Zoning Commissioner.
 - No additional site or antenna tower lights are proposed.
 - There are no signs proposed for this facility.
 - Setbacks:

	Front:	Side (east):	Side (west):	Rear:
Required to Tower	738'	738'	738'	738'
Provided to Tower	318' ±	295' ±	255' ±	272' ±
 - Amenity open space: NA
 - Floor area ratio: NA
 - Parking: Required Spaces: 0
The proposed wireless transmitting and receiving facilities do not block or affect any existing parking spaces.
 - The structure is enclosed with an existing locked chain link fence, 8 feet high.

Requested Zoning Action
Special Hearing to approve an amendment to the site plan approved in Case # 95-307-SPHA to permit additional antennas and equipment on the existing Wireless Transmitting and Receiving Facility.

97-124-SPH

[Signature]

DMW
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AT&T
PROPOSED
UNMANNED
WIRELESS
COMMUNICATION
SITE
B 055.1
UMBC

OVERALL SITE PLAN

SITE DATA

File Map	101
Block Number	22
Lot Number	1372
Latitude (NAD 83)	
Longitude (NAD 83)	
Ground Elevation	
Verification Method	
Height	150' AG AMSL
Structure Type (BOCA Classification)	
Project Number	98035.23
Date	8-27-96
Project Manager	REM
Design	
Structural	
Mechanical	
Electrical	
Surveyor	
Drawn By	TC /TPC
ISSUED FOR CONSTRUCTION	
Revisions	

Sheet Number
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